



City of Woodland

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December 17, 2012

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
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Subject: Comment Letter – Revised Draft Phase II Small MS4 Permit

The City of Woodland appreciates the considerable efforts made by staff of the State Water Resources Control Board (State Water Board) to understand and address permittees' concerns about the first two versions of the Draft Phase II Small MS4 Permit (Draft Permit). The third Draft Permit, issued on November 16, includes many significant improvements that demonstrate these efforts.

The City of Woodland is a member of both the California Stormwater Quality Association (CASQA) and the Statewide Stormwater Coalition (SSC). We contributed to, and endorse, the detailed comments provided by these two organizations on the third Draft Permit and will not repeat them here. We urge the State Water Board to continue the positive momentum achieved to date by addressing the significant remaining concerns expressed in those letters on the following topics:

- Receiving Water Limitations Language and permit reopener clause (Finding 38 and Provision I)
- Central Coast Post-Construction Requirements (Attachment J)
- Consistency of monitoring requirements (E.13.(4), Attachment A, and monitoring flow chart)
- Industrial/commercial inspections (E.9.b(ii)(e))
- Regional Water Board discretion (Finding 31, E.1.b, E.7, E.16.c)
- Dispute resolution process (Provision H)
- Education of schoolchildren (E.7.a(ii)(j))
- Runoff reduction calculations for smaller lots (E.12.b(ii))

The CASQA and SSC letters also detail many text clarifications and corrections that we support. We offer the following additional clarifying comments focused on revisions to the Draft Permit made since May 21, 2012:

- *Illicit Discharge Detection and Elimination, E.9 (page 36):*
The introductory paragraph in this section establishes the requirement to develop an IDDE program, and closes with the following new sentence: "The Permittee *may* utilize the CWP's guide on Illicit Discharge Detection and Elimination as guidance" (emphasis added). However, Footnote 15, referenced in the preceding sentence, indicates "The Permittee *shall* use the Center for Watershed Protection's guide on Illicit Discharge Detection and Elimination..."

(emphasis added). The language of the footnote needs to be reconciled with the sentence in text, and the footnote reference should be moved to this sentence.

- *Regulated Projects, E.12.c (page 62):*
At the bottom of page 62 under “Effective Date for Applicability of Low Impact Development Runoff Standards to Regulated Projects,” the requirement reads, “By the second year of the effective date of the permit, the Permittee shall require...” We assume this is intended to mean “Within the second year...”. However, it could be interpreted to mean *before the beginning of* the second year. Throughout the Draft Permit, timelines are expressed using the wording “Within the [first, second, etc.] year...”. Please reword the statement on page 62 to clarify the intended timing of the requirement and for consistency with other Draft Permit schedule requirements.

In addition, this scheduling requirement should be moved to the end of E.12.c.

- *Low Impact Development Design Standards, E.12.e(ii) (page 69):*
In the final paragraph on page 69, the requirement reads, “By the second year of the effective date of the permit, each permittee shall adopt...” We assume this is intended to mean “Within the second year...”. However, it could be interpreted to mean *before the beginning of* the second year. Please reword the statement on page 69 to clarify the intended timing of the requirement and for consistency with other Draft Permit schedule requirements.

We request that the State Water Board carefully consider these issues and incorporate the suggested modifications before adopting the permit. We look forward to continuing to work with State Water Board staff to arrive at a final version of the permit that is clear and unambiguous and enables us to use our resources to best advantage to achieve our common goal of improved water quality.

We appreciate your consideration of these comments.

Sincerely,



Paul Navazio
City Manager